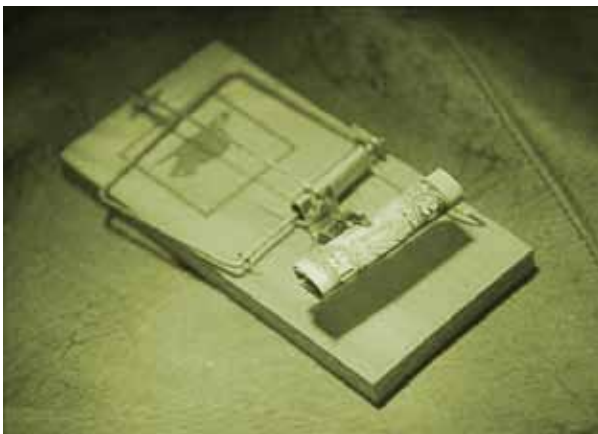


HOW TO AVOID FORECLOSURE SCAMS

The thought of losing one's home through foreclosure is a frightening prospect. In desperation, many homeowners fall victim to con artists who offer to help them save their homes, but ultimately make the situation worse. These con artists cheat homeowners out of thousands of dollars and their homes through deceit, deception and lies.

THE SCAM: TRANSFER OF DEED

Homeowners are urged to transfer their property deed for a minimal payment offered by the con artist. The con artist may promise to transfer the deed back after certain conditions are met. A homeowner may receive a few thousand dollars in return for signing away his or her ownership of the home but can end up losing tens of thousands of dollars in equity due the homeowner as well as the title to the home.



HOW THE HOMEOWNER LOSES AND THE CON ARTIST PROFITS

The Foreclosure Process

After obtaining the deed, the con artist allows the home to go through foreclosure. At the Foreclosure sale the home often sells for more than what is owed to the mortgage company and the taxing authorities. The difference between the sales price and amount owed is called **Surplus Funds**. The deed holder is entitled to the Surplus Funds. The con artist who bought the deed, sometimes for a small amount, is entitled to apply for the Surplus Funds. The original homeowner who would have been entitled to those funds loses out on potentially tens of thousands of dollars.

HOW HOMEOWNERS CAN PROTECT THEMSELVES

- When homeowners are contacted about foreclosure options by a third party, homeowners should:
- Contact their lender. They may be able to work out a payment plan (forbearance agreement) that is within a homeowner's budget;
- Seek legal advice through a trusted attorney, not one appointed by the company or individual soliciting them;

- Never sign away ownership of the home by a quit claim deed or otherwise without consulting a trusted attorney;
- Be especially suspicious of offers to lease back the home, in order to buy it back over time. These offers may sound good, but often make it impossible to re-purchase the home;
- Never make mortgage payments to anyone other than the lender;
- Never listen to anyone other than the lender regarding the mortgage payments or due dates;
- Beware of any home-sale contract in which the homeowner is not formally released from liability for their mortgage;
- Do not sign any document with blank lines or spaces; information could be added later without your knowledge and consent;
- Consider selling the home through a licensed real estate agency; and
- Be wary of attorneys who offer to take title to your home. You should get advice from your own lawyer.

FILE A COMPLAINT

If you believe that you have been solicited by a foreclosure scam artist or have been the victim of a foreclosure scam contact the New Mexico Attorney General's Office and file a consumer complaint.

To obtain a complaint form you can call 1-800-678-1508 or download the form from Attorney General's website at www.nmag.gov.



GARY K. KING
NEW MEXICO ATTORNEY GENERAL

ALBUQUERQUE OFFICE
111 Lomas Blvd. NW, Ste. 300
Albuquerque, NM 87102
Phone: (505) 222-9000

SANTA FE OFFICE
408 Galisteo St.
Santa Fe, NM 87501
Phone: (505) 827-6000

LAS CRUCES OFFICE
201 N. Church St., Ste. 315
Las Cruces, NM 88001
Phone: (505) 526-2280

1-800-678-1508

www.nmag.gov

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Office of New Mexico Attorney General
Gary K. King

